

Appln. No. 09/632,221
Reply to Office Action of 04/03/03

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-24 are pending in this application. Claims 1-10 and 22 have been withdrawn from consideration. Claims 14, and 23 are currently amended without the introduction of any new matter.

The outstanding Office Action includes a rejection of Claims 11-13, 16-21, 23, and 24 under 35 U.S.C. § 102(b) as being anticipated by Orita et al. (U.S. Patent No. 5,003,616, Orita) and a rejection of Claims 14 and 15 as being unpatentable over Orita in view of JP 4-205476.

Initially Applicants note that even though the disposition of claims section of the Office Action Summary indicates that Claims 11-24 are rejected, Claim 22 was not elected in the response filed on September 26, 2002, and should be indicated as being withdrawn along with Claims 1-10.

As a further initial matter, Applicants wish to thank examiners Bella and Rahmjoo for the courtesy of holding a discussion with Applicants' representative on May 8, 2003, with regard to the above-identified application.

The first topic of this discussion centered on whether or not Claim 11, and Claims 12, 13, 14 dependent thereon, could be considered to be anticipated by the Orita showing of a CRT display device.

Applicants' representative pointed out that Claim 11 does not simply recite an electro optical device. Instead, it recites "an electro-optical device for emitting light to form images in response to the image display signals" and "a projection optical system for projecting light

Appln. No. 09/632,221
Reply to Office Action of 04/03/03

emitted by the electro-optical device." Accordingly, Claim 11 clearly requires two optical elements, one being the electro-optical device that emits the light to form the images in response to image signals and the other being a further projection optical system that then projects light emitted by this electro-optical device. This arrangement enables the audience to observe an extraction image. A lack of "projection optical system" in Orita was noted to the examiners.

The examiners acknowledged that Claim 11 did recite a separate "electro-optical device" and a separate "projection optical system" and that these two recited elements would appear to define over the CRT of Orita. However, the Examiners reserved final determination of this point to the filing of the present amendment including arguments along the lines of those presented during the discussion.

In addition to acknowledging that Claim 11 would appear to define over the CRT display of Orita, the examiners also acknowledged that page 2 of the outstanding Office Action contained an error in asserting that Claim 20 did not recite "by cutting away." ✓
Accordingly, the examiners also agreed to reconsider the remarks/arguments of the amendment filed March 20, 2003, that dealt with the differences between the present use of "cutting away" and the function of the section segmenting means 24 of Orita that was said to read on the Claim 20 image extraction section. Specifically, "an extracted image" of Orita is an image obtained by binarizing a multi-gray-level input image, and is not an image obtained by cutting away a given extraction-target image (see column 5, lines 13-24 in Orita).

Finally, it was again noted that the Abstract of Orita relied upon to teach a condition of the apparatus actually only determines a density distribution characteristic of the input

Appln. No. 09/632,221
Reply to Office Action of 04/03/03

image in a designated area. While this determination is said to be made for the characteristic extraction unit, this characteristic of the input image in this designated area cannot be reasonably read as a condition of the projection display apparatus as is recited by Claims 18, 21 and 24. The examiners acknowledged this argument and agreed to further consider the rejection of these claims as to the actual language of these claims and the actual teachings of Orita.

OP. conditions
X

Turning to the outstanding rejection of Claims 11-13, 16-21, and 23-24 as being anticipated by Orita, it is first noted that the rejection of Claim 11 is traversed based upon the above-noted discussion of the difference between a "CRT" and the claimed two optical elements (an electro-optical device that emits light and a project optical system that will then project the light emitted by this electro-optical device).

As Claims 12, 13, 16 and 17 all depend on Claim 11, it is believed that these claims clearly define over Orita at least for the same reasons that Claim 11 does. In addition, each of Claims 12, 13, 16 and 17 adds further features not taught or suggested by Orita.

With regard to independent Claims 18, 21, and 24, it is noted that each of these claims recite and require judging if a display apparatus is in a specific operating condition which is not believed to be reasonably or fairly read on the relied upon portion of Orita that reflects the condition of the image display area and not the specific operating condition of anything reasonably readable as a projection display apparatus, all as discussed above and at the May 8, 2003, discussion.

With further regard to Claim 18, it is noted that this claim also expressly recites the separate projection optical system for projecting light emitted by the electro-optical device

Appln. No. 09/632,221
Reply to Office Action of 04/03/03

which was noted above relative to Claim 11. Accordingly, Claim 18 is believed to further define over Orita for at least these reasons as well.

As Claim 19 depends on Claim 18, it is also believed to define over Orita for all the reasons noted above as to Claim 18. In addition, Claim 19 presents additional features which are neither shown nor suggested by Orita and Claim 19 is believed to be patentable for this reason as well.

Turning to independent Claim 20, it is noted that Claim 20 requires the above-noted extraction "by cutting away." Accordingly, Claim 20 is believed to define over Orita for the fact that the designation of a particular area to provide "a binary image resulted from the area extraction" (col. 14, lines 16-17) is not reasonably readable as the claimed "cutting away." See col. 5, lines 19-24 as to extracting being simply determining which areas meet designated predetermined density distribution characteristics.

cutting away
X

Similarly, Claim 21 recites the operating condition judging section that must judge the specific operating condition of the display apparatus. Again, the judging of an image portion density distribution characteristic cannot be considered to be reasonably or fairly suggestive of a judging of a specific operating condition of the image display apparatus as claimed.

OP.
conditions
X

Turning to Claim 23, it is noted that this claim, like Claim 20, requires that extraction be accomplished by "cutting away." Once again, the segmenting means 24 of Orita performs no "cutting away" in selecting areas meeting desired density distribution characteristics.

Finally, with regard to Claim 24, it is noted that this claim once again requires that the specific operating condition of a projection display apparatus must be judged, not any density

OP.
condition
X

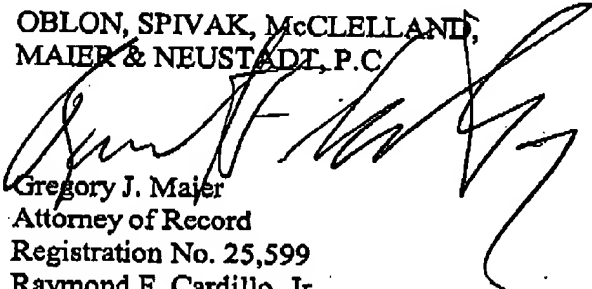
Appln. No. 09/632,221
Reply to Office Action of 04/03/03

distribution condition of an image portion. Accordingly, this claim is also believed to clearly define over Orita.

Accordingly, as no other objections or rejections remain outstanding, it is believed that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Gregory J. Maier
Attorney of Record
Registration No. 25,599
Raymond F. Cardillo, Jr.
Registration No. 40,440



22850

(703) 413-3000
Fax No.: (703) 413-2220
GJM/RFC/la/cja
I:\atty\rfc\194715us-am2.wpd

OFFICIAL

**RECEIVED
CENTRAL FAX CENTER
SEP 02 2003**